

United States District Court

DEC 10 2018

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

ABUNDIS-De La Rosa, Jose Eduardo, YOB: 1981, MX

CASE NUMBER: 18-18-2513-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 9, 2018 in Starr county, in the Southern District of Texas defendant(s) did,

Knowingly and Intentionally Possess with the Intent to Distribute approximately 105 kilograms of Marijuana, a Schedule I Controlled Substance.

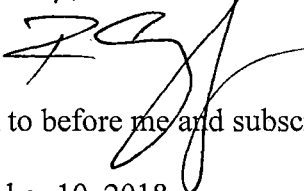
Knowingly and Intentionally Conspire to Possess with the Intent to Distribute approximately 105 kilograms of Marijuana, a Schedule I Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Approved by



Signature of Complainant
Steven F. Picone, DEA Special Agent

Sworn to before me and subscribed in my presence,

December 10, 2018

8:33 am

At

McAllen, Texas

Date

City and State

Peter E. Ormsby, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT

On December 9, 2018, a United States Border Patrol Agent (BPA) responded to a call, via service radio, from the a USBP Agent operating Aerostat 4 (Alpha 4) who advised they saw several individuals walking north of the Rio Grande River carrying suspected bundles of narcotics, south of an area known as "Tortilla Factory", in Rio Grande City, Texas. This area is known by BPAs for illegal alien and narcotics smuggling.

At approximately 9:00 PM, the USBP Alpha 4 operator, advised they observed several subjects walking and four (4) of the subjects were carrying bundles of suspected narcotics. A USBP Agent drove towards the area known as "Cadena's House" and was advised by the USBP Alpha 4 operator that the subjects dropped the suspected bundles of narcotics and were running south east towards the Rio Grande River.

At approximately 9:15 PM, Omaha 92A arrived in the area to assist the agents and advised that two (2) subjects near the area Aerostat 4 had the last visual of the subjects. USBP Agents responded to the area and were able to locate two (2) subjects, later identified as Jose Eduardo ABUNDIS-De La Rosa and a juvenile. USBP Agents searched the area and were able to locate four (4) bundles of narcotics in a high grass a short distance away from where ABUNDIS-De La Rosa and the juvenile were apprehended.

USBP Agents transported ABUNDIS-De La Rosa and the four (4) bundles to the Rio Grande City Border Patrol Station for processing. The bundles were field tests and tested positive for marijuana. The marijuana weighed a total of approximately 105 kilograms.

On December 10, 2018, an Agent and Task Force Officers from the Drug Enforcement Administration Office responded to the Rio Grande City Border Patrol Station and met with ABUNDIS-De La Rosa. ABUNDIS-De La Rosa was read his Miranda Warnings and waived his Miranda Rights. ABUNDIS-De La Rosa advised the Agents that he was in need of some money and agreed to transport marijuana in to the United States. ABUNDIS-De La Rosa advised Agents that he believed he was going to get paid approximately \$200.00 USC. ABUNDIS-De La Rosa advised Agents that he did carry a bundle of marijuana into the United States but ran once the Border Patrol Agents were in the area. ABUNDIS-De La Rosa advised Agents he was lost and shortly thereafter arrested by the Border Patrol Agents.